

**ENTERED**

July 15, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

KERRY LEE THOMAS,

Plaintiff,

v.

Case No. 4:23-cv-00662

ERIC M. BRUSS,  
WAYNE SCHULTZ,  
and KEITH MORRIS, in his capacity as  
Temporary Dependent Administrator of the  
Estate of Robert Johnson,

Defendants.

---

**FOURTH AMENDED SCHEDULING AND DOCKET CONTROL ORDER**

---

The disposition of this case will be controlled by the following amended schedule:

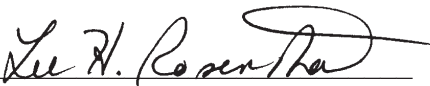
1. August 15, 2024 **PLAINTIFF'S EXPERT DISCLOSURES ON  
MATTERS OTHER THAN ATTORNEYS' FEES**  
  
The plaintiff (or the party with the burden of proof on an issue) will designate expert witnesses in writing and provide the report required by Rule 26(a)(2) of the Federal Rules of Civil Procedure.
2. September 16, 2024 **DEFENDANTS' EXPERT DISCLOSURES ON  
MATTERS OTHER THAN ATTORNEYS' FEES**  
  
The opposing party will designate expert witnesses in writing and provide the report required by Rule 26(a)(2) of the Federal Rules of Civil Procedure.
3. September 23, 2024 **MEDIATION**  
Mediation or other form of dispute resolution must be completed by this deadline.

4. September 23, 2024 **COMPLETION OF DISCOVERY.** Written discovery requests are not timely if they are filed so close to this deadline that under the Federal Rules of Civil Procedure the response would not be due until after the deadline.
5. October 4, 2024 **PRETRIAL DISPOSITIVE MOTIONS DEADLINE**  
No motion may be filed after this date except for good cause.
6. December 2, 2024 **PRETRIAL DISCLOSURES DEADLINE**
7. December 6, 2024 **JOINT PRETRIAL ORDER AND MOTION IN LIMINE DEADLINE**  
The Joint Pretrial Order will contain the pretrial disclosures required by Rule 26(a)(3) of the Federal Rules of Civil Procedure. Plaintiff is responsible for timely filing the complete Joint Pretrial Order. Failure to file a Joint Pretrial Order timely may lead to dismissal or other sanction in accordance with the applicable rules.
8. December 13, 2024 **DOCKET CALL**  
Docket Call will be held at 8:30 a.m. in Courtroom 11-B, United States Courthouse, 515 Rusk, Houston, Texas. No documents filed within 7 days of the Docket Call will be considered. Pending motions may be ruled on at docket call, and the case will be set for trial as close to the docket call as practicable.

9. Additional orders relating to disclosures, discovery, or pretrial motions:

Any party wishing to make any discovery motions should arrange for a pre-motion conference with the court before the preparation and submission of any motion papers. That includes a motion to compel, to quash, or for protection. Email Mrs. Eddins at [Lisa.Eddins@txs.uscourts.gov](mailto:Lisa.Eddins@txs.uscourts.gov) or fax her at 713-250-5213 to arrange for a pre-motion conference. Notify your adversary of the date and time for the conference. The parties agree to submit attorney's fees issues to the court by affidavit after liability and damages are resolved.

Signed on July 15, 2024.

  
\_\_\_\_\_  
Lee H. Rosenthal  
United States District Judge